

REMARKS

Claims 1-20 are pending in the instant application. Claims 1-20 have been rejected by the Examiner. Claims 1-20 have been amended. The Applicant submits that claims 1-20 are in condition for allowance and respectfully requests reconsideration and withdrawal of the outstanding rejections. No new matter has been entered.

Claim Rejections Under 35 USC §103

Claims 1-8, 10-18, and 20 have been rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over U.S. Publication No. 2003/0074463 to Swartz et al. ("Swartz") in view of U.S. Publication No. 2003/0061062 to Tucker. In addition, claims 9 and 19 have been rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over Swartz in view of Tucker as applied to claims 1 and 11, and further in view of U.S. Patent No. 6,937,993 issued to Gabbita. The Applicant respectfully traverses the outstanding rejections under 35 U.S.C. 103(a) and submits that claims 1-20 are in condition for allowance. No new matter has been entered.

For an obviousness rejection to be proper, the Examiner must meet the burden of establishing that all elements of the invention are disclosed in the prior art; that the prior art relied upon, coupled with knowledge generally available in the art at the time of the invention, must contain some suggestion or incentive that would have motivated the skilled artisan to modify a reference or combined references; and that the proposed modification of the prior art must have had a reasonable expectation of success, determined from the vantage point of the skilled artisan at the time the invention was made. *In re Fine*, 5 U.S.P.Q.2d 1596, 1598 (Fed. Cir. 1988); *In Re Wilson*, 165 U.S.P.Q. 494, 496 (C.C.P.A. 1970).

Claims 1, 10, and 11 have been amended to recite, *inter alia*, "resolving any errors and inconsistencies detected from the validating resulting in a validated service request...wherein resolving any errors and inconsistencies includes: converting the converted service request back to its original data format; and transmitting the service request in its original data format back to a corresponding service request source."

No new matter has been entered by these amendments. The newly recited features in amended claims 1, 10 and 11 have been removed from dependent claims 5 and 15 and

incorporated into claims 1, 10, and 11. These features are neither taught, nor rendered obvious in view of Swartz and Tucker, nor by the art as a whole. The Examiner states on page 5 of the Office Action that these features are taught by Swartz. However, the Examiner does not point to any location in Swartz where these features are taught. Upon a thorough review of Swartz, it appears there is not even a single instance of any “re-conversion” of service requests to their original format prior to returning the service request back to its source as part of an error resolution process. In addition, Tucker does not teach re-conversion of service requests to their original format. For at least this reason, the Applicants submit that claims 1, 10, and 11 are patentably distinct from Swartz and Tucker, both alone and in combination. Claims 2-8 depend from what should be an allowable base claim. Claims 12-18 and 20 depend from what should be an allowable base claim. For at least this reason, the Applicant submits that claims 2-8, 12-18, and 20 are in condition for allowance. Reconsideration and withdrawal of the outstanding rejections is respectfully requested.

Claims 9 and 19 depend from allowable independent claims 1 and 11. With respect to claims 9 and 19, Gabbita does not cure the aforementioned deficiencies of Swartz. For at least this reason, the Applicant submits that claims 9 and 19 are in condition for allowance and respectfully requests reconsideration and withdrawal of the outstanding rejections.

CONCLUSION

It is believed that the foregoing amendments and remarks fully comply with the Office Action and that the claims herein should now be allowable to Applicant. Accordingly, reconsideration and allowance is requested. It is submitted that the foregoing amendments and remarks should render the case in condition for allowance.

Accordingly, as the cited references neither anticipate nor render obvious that which the applicant deems to be the invention, it is respectfully requested that claims 1-20 be passed to issue.

If there are any additional charges with respect to this Amendment or otherwise, please charge them to Deposit Account No. 06-1130.

Respectfully submitted,

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